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Via ECF

Hon. Colleen McMahon
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *DiNola v. Hartford Life Insurance Company*
Civil Action No. 1:21-cv-04281-CM

Dear Judge McMahon:

This office represents defendant Hartford Life and Accident Insurance Company, sued herein as "The Hartford Life Insurance Company," in the above-referenced matter. Together with counsel for Plaintiff James DiNola, we submit this joint letter to respectfully request that the parties be permitted to engage in private mediation instead of a settlement conference with the Magistrate Judge and that the briefing schedule on the parties' cross-motions for summary judgment remain stayed while the parties engage in private mediation.

On February 9, 2022, Plaintiff submitted an *ex parte* motion for assignment of this matter for a settlement conference with the Magistrate Judge and a stay of the summary judgment briefing schedule. (Doc. No. 24). On the same date, this Court granted Plaintiff's motion. (Doc. No. 25). Thereafter, the parties met and conferred and came to an agreement that engaging in private mediation would maximize the parties' chances of settling this matter. The parties have agreed on a mutually acceptable private mediator and are actively working to secure a mediation date with him.

For the foregoing reasons, and to avoid having to further burden the Court, the parties respectfully request that they be allowed to engage in private mediation instead of a settlement conference with the Magistrate Judge. The parties further respectfully request that the briefing schedule on the parties' cross-motions for summary judgment remain stayed while the parties engage in private mediation. Should mediation not result in a resolution, Plaintiff will submit its cross-motion for summary judgment within fourteen (14) days of mediation.

Thank you for your consideration of this matter.

Respectfully Submitted,

/s/ Jovana Vujovic
Jovana Vujovic
Counsel for Defendant

/s/ Jason S. Newfield
Jason S. Newfield
Counsel for Plaintiff